

**Spencer Town Council Regular Meeting
November 7th, 7p.m.
Municipal Building
90 N. West Street
Spencer, IN 47460**

Board Members present: John Stantz, Dean Bruce, and Cynthia Hyde

Also present: Town Attorney Richard Lorenz, Clerk-Treasurer Cheryl Moke, Street Dept. Supt. Larry Parrish, Town Marshal, Richard Foutch, Angie Pappano with Kenna, Connie Williamson, Les Jordan, Becky Brown, Jim Baughn, Mike Stanley

MEETING WAS OPENED WITH THE PLEDGE TO THE AMERICAN FLAG

IN THE MATTER OF APPROVAL OF MINUTES FOR October 19th, 2011 REGULAR MEETING

Dean Bruce motioned to approve the minutes as written, seconded by Cynthia Hyde, the motion passed 3-0.

IN THE MATTER OF PUBLIC ISSUES

A request from the Seventh Day Adventist to place a magazine box on the east side of the square was introduced.

Jon Stantz made a motion that the town allow the placement of this box along with the other boxes with the stipulation that it be inspected on a regular basis. The motion was seconded by Cynthia Hyde, and passed 3-0.

The Christmas Festival Event registration was presented by Cynthia Hyde, on behalf of a collaboration of community organizations.

Dean Bruce made a motion to accept the event registration form, seconded by Jon Stantz, and the motion passed 3-0.

IN THE MATTER OF THE TOWN ATTORNEY

Holiday back pay issue for employees who work 10 hour days between 2008 and 2011 was discussed. The town has agreed to honor this protocol that an employee should be paid 10 hours holiday pay, if they work a 10 hour/day work schedule. Richard Lorenz stated that he would look into making a revision to the personnel policy to reflect this. Cheryl Moke will investigate, and prepare a worksheet of back pay owed for this time period.

Regarding property owners with 60 day delinquency notices on sewer bills, Richard Lorenz explained the handling by filing a lien on the property and what the cost is to the town. He stated that the amount recovered by following these procedures makes it worthy of the cost because 1) users will recognize that this will be a more pervasive, and enforceable way to collect, and 2) We will have a method to get this on the tax rolls in order to recover, even in the cases of foreclosure.

Richard Lorenz presented an inventory of the ordinances and resolutions passed in 2010. He stated that there are few items that may have things yet to be done in order to authenticate them. When the list is fully critiqued and authenticated, Lorenz will provide a copy to Dean Bruce to publish on the Town website.

IN THE MATTER OF THE POLICE DEPARTMENT

Marshal Foutch stated that the Drug Take Back Day, which was held last weekend, took in just over 42 lbs of prescription drugs, which was a little better than the last time. He stated that it was their plan to do this about every six months.

Foutch also reported that a Reserve had resigned because he got a full time job with the Beech Grove police department. He does not know at this time if he needs to be replaced.

IN THE MATTER OF THE STREET DEPARTMENT

Superintendent Larry Parrish reported on the plug-in costs for Christmas decoration lighting. The cost of \$3,512 will come from the Cut Repair fund.

Jon Stantz made a motion that the installation of the plug -ins be allowed for the Christmas decorations in the downtown area in the amount of \$3,512.70. The motion was seconded by Cynthia Hyde, and passed 3-0.

Larry Parrish next discussed the purchase of a used hotbox for approximately \$11,000. The cost of this will come from the CCD fund.

Cynthia Hyde made a motion for the recommendation to approve the purchase of a used hotbox in the amount of \$11,000, seconded by Dean Bruce and passed 3-0.

IN THE MATTER OF THE SEWER DEPARTMENT

Jon Stantz moved to approve the sewer adjustment for VFW Post 1405 at 78 E. Franklin, seconded by Cynthia Hyde, and passed 3-0.

Dean Bruce made the motion to deny the sewer adjustment requests for the following properties because they did not meet the criteria for an adjustment:

**527 E. Jefferson
390 Lovers Lane
602 E Morgan Street
211 E. North Street**

Motion was seconded by Cynthia Hyde, and passed 3-0.

Richard Lorenz stated that he would send a letter to Michael Browning stating that the sewer is required to be capped to stop the accruing of charges.

In regards to the Tivoli Building sewer bill, Les Jordan stated that the sewer would be capped, and the bill in the amount of \$137.89 would be paid this week.

Dean Bruce moved to approve the installation and usage of the three deduct meters by Boston Scientific Corp as described in the applications presented by Shelley Edwards. The motion was seconded by Jon Stantz, and passed 3-0.

IN THE MATTER OF THE FIRE TERRITORY

Cynthia Hyde reported that they would be looking at appointments after the outcome of tomorrow's election.

IN THE MATTER OF HMGP

Angie Pappano presented recommendations for hiring Appraisers, Title Company, and Surveyor for the Hazard mitigation project. Recommendations are:

Appraisal Firms

Moore Appraisal Services	Spencer
Appraisers, Inc.	Columbus
Alternate: Monroe/Owen Appraisals, Inc.	Bloomington

Title Company

Languell Abstract & Title	Spencer
Alternate: The Courtland	Martinsville

Surveying Company

David R. Meier & Assoc.	Spencer
Alternate: DLZ	Indianapolis

Dean Bruce made a motion to accept the recommendations for Appraisal Firms, Title Company and Surveying Company as proposed by Angie Pappano. Jon Stantz seconded the motion, and it passed 3-0.

IN THE MATTER OF NEW BUSINESS

Becky Brown, representing the Owen County Humane Society requested what was required to retain funding from the Town in 2012. She was unable to locate the agreement between the organization and the town. Richard Lorenz said he had a copy and recalled that the agreement provided for \$1,000 per month to the humane society, and that the organization, as one of their requirements provided bi-monthly activity reports. Becky said they would be looking into additional funding in 2012, and would comply with the reporting requirement in the future.

Richard Lorenz presented a draft of an Application for Vacation of Roads and Alleyways policy for review by the town council for the next meeting.

Mr. Lorenz also presented a Resolution Pertaining to Longevity Pay for Certain Town Employees to be reviewed by the Town Council to address the issue of pay for Travis Sanders and Terry Sips.

Mr. Lorenz next discussed what funding sources would be used to pay for expenses in regard to the Franklin Street Extension (acquisition of the land, signage issue, and the INDOT agreement). Clerk-Treasurer Cheryl Moke stated the EDC fund is appropriate, and has sufficient funds to pay out for this project.

IN THE MATTER OF OLD BUSINESS

Regarding the bids for the Tivoli project grant administrator, Dean Bruce proposed that the town wait until after the December 9th deadline for the grant decision date, to re-advertise for the grant administrator. The first advertisement was incorrect, because of some changes and will need to be re-run.

Jon Stantz reported on the Solid Waste Management District meeting. He reported that the resolution to raise the fees ended in a tie, therefore the resolution died. He noted that the district could not continue to function without the fees being raised, and changes would be forthcoming.

IN THE MATTER OF CLAIMS

Jon Stantz motioned to accept claims as presented, seconded by Dean Bruce and the motion passed 3-0.

IN THE MATTER OF ADJOURNMENT

Jon Stantz adjourned the meeting at 8:45 p.m.

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Jon Stantz, President	Dean Bruce, Vice-President	Cynthia Hyde, Board Member

Attest:_____

Cheryl Moke, Clerk-Treasurer